



House of Representatives

General Assembly

File No. 150

January Session, 2009

House Bill No. 5533

House of Representatives, March 24, 2009

The Committee on Planning and Development reported through REP. SHARKEY of the 88th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING LOCAL APPEALS OF DECISIONS OF LOCAL TRAFFIC AUTHORITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-313 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 Any person aggrieved by any order or regulation made by any
4 traffic authority under the provisions of this chapter, relating to the
5 establishment of through streets, the making of safety zones, the
6 installation of traffic control signals, devices, signs or markings, the
7 establishment of parking restrictions or the location of loading and
8 unloading zones, or by the performance of any act pursuant to any
9 provision of this chapter, may take an appeal therefrom to the court of
10 common council or to the board of aldermen of the city, to the town
11 council or board of selectmen of the town, or to the warden and
12 burgesses of the borough, wherein such traffic authority is located, or
13 to the superior court for the judicial district in which it is located. Such
14 appeal shall be to the next session of such court or board which will

15 allow sufficient time for the service of the notice required herein. A
16 written notice of such appeal, addressed to such traffic authority, shall
17 be deposited with, or forwarded by registered or certified mail to, such
18 traffic authority at least ten days before the return day thereof. Upon
19 such hearing, such court or board shall determine whether the order or
20 regulation appealed from is reasonable, and shall thereupon sustain or
21 revoke such order or regulation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	14-313

PD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill adds the installation of traffic control signals, devices, signs or markings to the local appeals process. There is no fiscal impact for this change.

The Out Years

None

OLR Bill Analysis**HB 5533*****AN ACT CONCERNING LOCAL APPEALS OF DECISIONS OF LOCAL TRAFFIC AUTHORITIES.*****SUMMARY:**

This bill expands the types of municipal traffic authority decisions that people can appeal to the municipality's legislative body or the Superior Court for the municipality's judicial district. It allows them to appeal orders or regulations installing traffic control signals, devices, signs, or markings. Under current law, aggrieved people can appeal orders or regulations establishing through streets, making safety zones, imposing parking restrictions, designating loading or unloading zones, or regarding any other legally authorized traffic-related act.

EFFECTIVE DATE: October 1, 2009

BACKGROUND***Traffic Authorities***

As Table 1 shows, the law designates different local bodies or officials to serve as a municipality's traffic authority. The designation depends mainly on whether a municipality has a board of police commissioners.

Table 1: Municipal Traffic Authorities

<i>Jurisdiction</i>	<i>Traffic Authority</i>	<i>Appeals Body</i>
City, town, or borough with police commission	Police Commission	City: <ul style="list-style-type: none"> Court of Common Council or Board of Aldermen
City, town, or borough without commission but with a regularly appointed police force	<ul style="list-style-type: none"> City or town manager Police chief Police superintendent 	

	or any legally elected or appointed official or board <ul style="list-style-type: none"> Any official having similar powers and duties 	Town: <ul style="list-style-type: none"> Town council Board of Selectmen Borough: <ul style="list-style-type: none"> Warden and burgesses
Town with no city or borough and a regularly appointed police force	<ul style="list-style-type: none"> Board of selectmen 	

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 20 Nay 0 (03/06/2009)